

## **REMARKS**

This is a full and timely response to the outstanding non-final Office Action mailed November 18, 2004. Reconsideration and allowance of the application and pending claims are respectfully requested.

### **I. Drawings Objection**

The drawings have been objected to under 37 C.F.R. 1.83(a) for not showing every feature of the invention specified in the claims. Specifically, the drawings are objected to for not showing organizing collected data into logical groups. As is noted above, various claims have been amended to recite organizing collected data into "suitable" groups. This limitation is supported by the specification on page 8, line 26, and in Figure 2, block S15.

In view of the above, Applicant respectfully submits that the feature at issue is shown in the drawings, and respectfully requests that the objection be withdrawn.

### **II. Claim Rejections - 35 U.S.C. § 112, First Paragraph**

Claims 6, 13, and 26 have been rejected under 35 U.S.C. § 112, first paragraph, for not describing organizing collected data into "logical groups".

In response to the rejection, each of claims 6, 13, and 26 have been amended to describe organizing collected data into "*suitable* groups". As is noted above, support for that limitation can be found in the specification on page 8, line 26, and in Figure 2, block S15.

In view of the above, Applicant respectfully requests that the rejection of claims 6, 13, and 26 under 35 U.S.C. § 112, first paragraph, be withdrawn.

### **III. Claim Rejections - 35 U.S.C. § 102(e)**

Claims 1, 3, 4, 7, 8, 10, 11, 14, 15, 17, 20, 21, 23, 24, and 27 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Zintel (U.S. Pat. No. 6,779,004). Applicant respectfully traverses this rejection.

It is axiomatic that “[a]nticipation requires the disclosure in a single prior art reference of each element of the claim under consideration.” *W. L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 1554, 220 USPQ 303, 313 (Fed. Cir. 1983). Therefore, every claimed feature of the claimed invention must be represented in the applied reference to constitute a proper rejection under 35 U.S.C. § 102(e).

In the present case, not every feature of the claimed invention is represented in the Zintel reference. Applicant discusses the Zintel disclosure and Applicant’s claims in the following.

#### **A. The Zintel Disclosure**

Zintel discloses a system for auto-configuring peripherals for peer networking connectivity. More particularly, Zintel discloses a system with which a peripheral device that is not otherwise configured for peer-to-peer communication can be used in a peer-to-peer manner. As is described by Zintel:

In accordance with a technology described herein, peripheral devices connected with a host via host/peripheral connectivity are exposed in a device control model as peer devices having peer networking connectivity. *A peer networking-to-host/peripheral connectivity adapter, which may be implemented as a set of software modules running on a host, operates to convert between a device control protocol with peer networking connectivity and a host/peripheral connectivity protocol (or protocols) for a set of host-*

*connected peripheral devices. The adapter, in effect, operates virtually as a set of controlled devices in the device control protocol, which respond to communication in the device control protocol from other peer devices that are networked with the host.* The adapter converts the device control protocol communications from the peer devices into the peripheral devices' respective host/peripheral protocol for controlling the peripheral devices. The adapter also converts communications in the respective host-peripheral protocol from the peripheral devices into the device control protocol with peer networking connectivity. Accordingly, the peer networking-to-host/peripheral connectivity adapter exposes the operational functionality of the peripheral devices to use from other peer networking devices via the device control protocol. (Zintel, column 2, lines 29-52, emphasis added).

Zintel's "connectivity adapter" is provided to the host by installing the adapter on the host. The installation process is described by Zintel as follows:

According to a further aspect of the invention, *the adapter is automatically installed and configured for a peripheral device by host operating software along with device-specific driver software upon connecting or "plugging" the peripheral device into the host*, for example, as part of a "plug-and-play" peripheral device installation sequence. At the time of connecting the peripheral device into the host or during a boot-up sequence of the host operating software, the host operating software detects that a new peripheral device has been connected; and automatically selects or prompts the user to select and then installs an appropriate device driver for the new peripheral device. The host operating software also automatically installs a peer networking-to-host/peripheral adapter, which exposes the peripheral to control from peer networking devices that are networked to the host and optionally permits control of peer networking devices from the peripheral. (Zintel, column 3, lines 9-25, emphasis added)

Significantly, Zintel says nothing about discovering devices on a network.

#### **B. Applicant's Claims**

Applicant's claims contain various limitations that are not taught by Zintel.

Independent claim 1 provides as follows (emphasis added):

1. A method of device discovery comprising:  
downloading a device discovery plug in *via a network using a network browser*;  
activating the device discovery plug in *to discover peripheral devices on the network* with the device discovery plug in; and  
transmitting data describing peripheral devices discovered by the device discovery plug in.

Regarding claim 1, Zintel does not teach downloading a device discovery plug in “via a network using a network browser”. Instead, as is described above, Zintel’s “connectivity adapter,” if relied upon to account for Applicant’s claimed plug in, is automatically installed upon connecting or “plugging” the peripheral device into the host. Therefore, a network and a network browser are not used to download any plug in for the Zintel system.

As a further matter, Zintel does not teach activating the device discovery plug in “to discover peripheral devices on the network”, as is also required by claim 1. Instead, as is described above, Zintel’s “connectivity adapter” is used as a type of translator that enables peripherals that are not equipped for peer-to-peer communications to connect and communicate with other peripherals in a peer manner.

For at least the foregoing reasons, Zintel does not anticipate Applicant's claim 1, or claims 2-7 which depend from claim 1.

Applicant's other independent claims are also allowable over the Zintel reference. For instance, regarding independent claim 8, Zintel does not teach computer readable code that is configured to cause a processor to "download a device discovery plug in via a network using a network browser" or "activate the device discovery plug in to is cover peripheral devices on the network", for reasons described above. Claim 8, and claims 9-14 which depend therefrom, are allowable over the Zintel reference for at least this reason.

Regarding independent claim 15, Zintel does not teach a system comprising processing circuitry configured to employ a software module to "download a device discovery plug in via a network using a web browser" or "activate the device discovery plug in to discover peripheral devices on the network", for reasons described above. Claim 15, and claims 16-20 which depend therefrom, are allowable over the Zintel reference for at least this reason.

Finally, regarding independent claim 21, Zintel does not teach a computer instruction signal embodied in a carrier wave carrying instructions that when executed by a processor cause the processor to "download a device discovery plug in via a network using a network browser" or "activate the device discovery plug in to discover peripheral devices on the network", for reasons described above. Claim 21, and claims 22-27 which depend therefrom, are allowable over the Zintel reference for at least this reason.

Due to the shortcomings of the Zintel reference described in the foregoing, Applicant respectfully asserts that Zintel does not anticipate Applicant's claims.

Therefore, Applicant respectfully requests that the rejection of these claims be withdrawn.

#### **IV. Claim Rejections - 35 U.S.C. § 103(a)**

##### **A. Rejection of Claims 2, 9, 18, and 22**

Claims 2, 9, 18, and 22 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Zintel in view of Pang, et al. ("Pang," U.S. Pat. No. 6,804,718). Applicant respectfully traverses this rejection.

As is identified above, Zintel does not teach explicit limitations of Applicant's independent claims. In that Pang does not remedy the deficiencies of the Zintel reference, Applicant respectfully submits that claims 2, 9, 18, and 22 are allowable over the Zintel/Pang combination for at least the same reasons that claims 1, 8, 15, and 21 are allowable over Zintel.

##### **B. Rejection of Claims 5, 6, 12, 13, 16, 19, 25, and 26**

Claims 5, 6, 12, 13, 16, 19, 25, and 26 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Zintel in view of Sharpe, Jr., et al. ("Sharpe," U.S. Pat. No. 5,960,214). Applicant respectfully traverses this rejection.

As is identified above in reference to independent claim 8, Zintel does not teach explicit limitations of Applicant's claimed invention. In that Sharpe does not remedy the deficiencies of the Zintel reference, Applicant respectfully submits that claims 9-10 are allowable over the Zintel/Sharpe combination for at least the same reasons that claim 8 is allowable over Zintel.

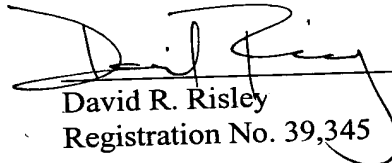
## **V. New Claims**

As is identified above, claims 28-35 have been added into the application through this Response. Applicant respectfully submits that these new claims describe an invention novel and unobvious in view of the prior art of record and, therefore, respectfully requests that these claims be held to be allowable.

### CONCLUSION

Applicant respectfully submits that Applicant's pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,

  
David R. Risley  
Registration No. 39,345

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Assistant Commissioner for Patents, Alexandria, Virginia 22313-1450, on

1-27-05

Mary Meegan  
Signature